

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	NO: WA:18-CR-00153(1)-ADA
	§	
(1) NICHOLAS DEWAYNE TREJO	§	

**ORDER ACCEPTING REPORT AND RECOMMENDATION**  
**OF THE UNITED STATES MAGISTRATE JUDGE**

Before the court is the above styled and numbered cause. On March 4, 2025 the United States Probation Office filed a Petition For Warrant or Summons For Offender Under Supervision for Defendant (1) NICHOLAS DEWAYNE TREJO, which alleged that Trejo violated a condition of his supervised release and recommended that Trejo's supervised release be revoked (Clerk's Document No. 35). A warrant issued and Trejo was arrested. On March 10, 2025, Trejo appeared before a United States Magistrate Judge, was ordered detained, and a revocation of supervised release hearing was set.

Trejo appeared before the magistrate judge on March 18, 2025, waived his right to a preliminary hearing and to be present before the United States District Judge at the time of modification of sentence, and consented to allocution before the magistrate judge. Following the hearing, the magistrate judge signed his report and recommendation on March 18, 2025, which provides that having carefully considered all of the arguments and evidence presented by the Government and Defendant, based on the original offense and the intervening conduct of Trejo, the magistrate judge

recommends that this court revoke Trejo supervised release and that Trejo be sentenced to imprisonment for EIGHTEEN (18) months, with no term supervised release to follow the term of imprisonment. The defendant should receive credit for time served since his arrest on March 7, 2025 (Clerk's Document No. 48).

A party may serve and file specific, written objections to the proposed findings and recommendations of a magistrate judge within fourteen days after being served with a copy of the report and recommendation, and thereby secure a *de novo* review by the district court. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a report and recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (*en banc*). The parties in this cause were properly notified of the consequences of a failure to file objections.

On March 18, 2025, following the hearing on the motion to revoke supervised release, all parties signed a Waiver Of Fourteen Day Rule For Filing Objections To Report and Recommendation Of United States Magistrate Judge (Clerk's Document No. 47). The court, having reviewed the entire record and finding no plain error, accepts and adopts the report and recommendation filed in this cause.


**IT IS THEREFORE ORDERED** that the Report and Recommendation of the

United States Magistrate Judge filed in this cause (Clerk's Document No. 48 ) is hereby ACCEPTED AND ADOPTED by this court.

**IT IS FURTHER ORDERED** that Defendant (1) NICHOLAS DEWAYNE TREJO's term of supervised release is hereby REVOKED.

**IT IS FURTHER ORDERED** that Defendant (1) NICHOLAS DEWAYNE TREJO be imprisoned for EIGHTEEN (18) months with no term of supervised release. The defendant shall receive credit for time served since his arrest on March 7, 2025.

Signed this 26th day of March, 2025.

  
ALAN D ALBRIGHT  
UNITED STATES DISTRICT JUDGE